

JUN 26 2002

PATENT APPLICATION

Attorney Docket No. 21402-124 (CURA-424)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Gerlach, et al  
SERIAL NUMBER : 09/964,956  
FILING DATE : September 26, 2001  
FOR : NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME  
EXAMINER : Not Yet Assigned  
ART UNIT : 1614

U.S. Patent and Trademark Office  
Box Sequence, P.O. Box 2327  
Arlington, VA 22202

TRANSMITTAL LETTER


Transmitted herewith in response to the October 10, 2001, Notice to File Missing Parts in the present application are the following documents:

1. Copy of NOTICE TO FILE MISSING PARTS OF APPLICATION form (2 pgs);
2. RESPONSE TO NOTICE TO FILE MISSING PARTS (1 pg);
3. COMBINED DECLARATION AND POWER OF ATTORNEY, executed by inventors (2 Counterparts, 6pgs, Total 12 pgs.);
4. Check #13223 for \$130.00;
5. PETITION FOR FOUR-MONTH EXTENSION OF TIME (1 pg.);
6. Check #13224 in the amount of \$1,140.00;
7. Sequence Listing (242 pgs.)
  - a. Statement in Support of CRF;
  - b. Electronic Copy of Sequence Listing (1 disk);
8. Preliminary Amendment (3 pgs); and
9. Return Postcard.

Applicants believe the Response to Notice to File Missing Parts is due on or before July 8, 2002 with the four-month extension. The enclosed checks are to cover the \$130.00 surcharge for filing Missing Parts and \$1,140.00 fee for the four-month extension of time. Although Applicants believe that no additional fees are due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 21402-124 (CURA-424). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Date: June 26, 2002

  
Ivor R. Elrifi, Reg. No. 39,529  
Sean M. Coughlin, Reg. No. 48,593  
Attorney/Agent for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/964,956	09/26/2001	Valerie L. Gerlach	21402-124 (CURA-424)

CONFIRMATION NO. 2560

# FORMALITIES LETTER



\*OC000000007276472\*

MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
One Financial Center  
Boston, MA 02111

Date Mailed: 01/08/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patent Software, call (703) 306-2600
- For Patent Software Program Help, call (703) 306-4119 or e-mail at

09964956

07/03/2002 ZJUHR1 00000048 500311

130.00 CH

02 FC:105

*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, appearing to be "J. M. [unclear]", written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Gerlach, et al

SERIAL NUMBER : 09/964,956

EXAMINER : Not Yet Assigned

FILING DATE : September 26, 2001

ART UNIT : 1614

FOR : NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

U.S. Patent and Trademark Office  
Box Sequence, P.O. Box 2327  
Arlington, VA 22202

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice To File Missing Parts mailed January 8, 2002, Applicants submit herein executed Combined Declaration and Powers of Attorneys; payment of the surcharge of \$130.00 as set forth in 37 C.F.R. §1.16(e); a copy of Notice to File Missing Parts, Sequence Listing; Statement in Support of CRF; electronic copy of Sequence Listing (1 diskette); Preliminary Amendment; Petition for Four-Month Extension of Time; and payment of the Four-Month Extension of Time of \$1,440.00. This response is due on or before July 8, 2002, with a four-month extension.

The Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21402-124 (CURA-424).

Respectfully submitted,

Date: June 26, 2002

*Ivor R. Elrifi, Reg. No. 39,529*  
Ivor R. Elrifi, Reg. No. 39,529  
Attorney/Agent for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241